

UNITED STATES BANKRUPTCY COURT

FILED

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U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
OAKLAND, CA.

In re MICHAEL LAVON SPRIGGS  
Debtor

Case No. 09-71618 RN/B  
(if known)

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

☒ 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

☐ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*

☐ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]*

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

☐ 4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]*

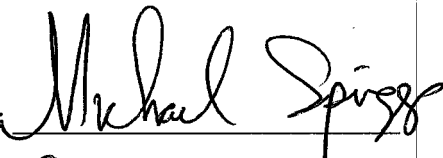
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

☐ Active military duty in a military combat zone.

☐ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: 

Date: 12-29-09

In re MICHAEL LAVON SPRIGGS  
Debtor

Case No.

09-71618 RN 13

(if known)

(AMEND) FILED

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

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The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

Debtor's Marital Status: <u>SINGLE</u>	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP(S):	AGE(S):
Employment:	DEBTOR	SPOUSE
Occupation	<u>CASHIER - SALES ASSOCIATE</u>	
Name of Employer	<u>FOLLETT HIGHER EDUCATION GROUP</u>	
How long employed	<u>5 MONTHS</u>	
Address of Employer	<u>COLLEGE OF ALAMEDA BOOKSTORE</u> <u>555 RALPH APPEZZATO MEMORIAL PARKWAY</u> <u>ALAMEDA, CA 94501</u>	

INCOME: (Estimate of average or projected monthly income at time case filed)

DEBTOR

SPOUSE

1. Monthly gross wages, salary, and commissions  
(Prorate if not paid monthly)\$ 960.00

\$ \_\_\_\_\_

2. Estimate monthly overtime

\$ 0

\$ \_\_\_\_\_

3. SUBTOTAL

\$ 960.00

\$ \_\_\_\_\_

4. LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

\$ 60.00

\$ \_\_\_\_\_

b. Insurance

\$ 0

\$ \_\_\_\_\_

c. Union dues

\$ 0

\$ \_\_\_\_\_

d. Other (Specify): \_\_\_\_\_

\$ 0

\$ \_\_\_\_\_

5. SUBTOTAL OF PAYROLL DEDUCTIONS

\$ 60.00

\$ \_\_\_\_\_

6. TOTAL NET MONTHLY TAKE HOME PAY

\$ 900.00

\$ \_\_\_\_\_

7. Regular income from operation of business or profession or farm  
(Attach detailed statement)\$ 0

\$ \_\_\_\_\_

8. Income from real property

\$ 1700.00

\$ \_\_\_\_\_

9. Interest and dividends

\$ 0

\$ \_\_\_\_\_

10. Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above

\$ 0

\$ \_\_\_\_\_

11. Social security or government assistance  
(Specify): \_\_\_\_\_\$ 0

\$ \_\_\_\_\_

12. Pension or retirement income

\$ 0

\$ \_\_\_\_\_

13. Other monthly income

\$ 0

\$ \_\_\_\_\_

(Specify): \_\_\_\_\_

14. SUBTOTAL OF LINES 7 THROUGH 13

\$ 1700.00

\$ \_\_\_\_\_

15. AVERAGE MONTHLY INCOME (Add amounts on lines 6 and 14)

\$ 900.00

\$ \_\_\_\_\_

16. COMBINED AVERAGE MONTHLY INCOME: (Combine column totals from line 15)

\$ 2600.00

\$ \_\_\_\_\_

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

CUT BACK ON HOURS TEMPORARY FOR A MONTH DUE TO NEW CLASSESSTARTING FOR SPRING SEMESTAR

In re

MICHAEL LAVON SPRIGGS,

Debtor

(AMEND)

Case No.

09-71618 RU 13

(if known)

**SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)**

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.



Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

## 1. Rent or home mortgage payment (include lot rented for mobile home)

\$ 2463.48a. Are real estate taxes included? Yes \_\_\_\_\_ No Xb. Is property insurance included? Yes \_\_\_\_\_ No X

## 2. Utilities: a. Electricity and heating fuel

\$ 50.00

b. Water and sewer

\$ 24.00

c. Telephone

\$ 40.00

d. Other \_\_\_\_\_

\$ 0

## 3. Home maintenance (repairs and upkeep)

\$ 0

## 4. Food

\$ 75.00

## 5. Clothing

\$ 0

## 6. Laundry and dry cleaning

\$ 0

## 7. Medical and dental expenses

\$ 0

## 8. Transportation (not including car payments)

\$ 0

## 9. Recreation, clubs and entertainment, newspapers, magazines, etc.

\$ 0

## 10. Charitable contributions

\$ 0

## 11. Insurance (not deducted from wages or included in home mortgage payments)

\$ 0

a. Homeowner's or renter's

\$ 90.00

b. Life

\$ 0

c. Health

\$ 0

d. Auto

\$ 100.00

e. Other \_\_\_\_\_

\$ 0

## 12. Taxes (not deducted from wages or included in home mortgage payments)

(Specify) \_\_\_\_\_

\$ 0

## 13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the plan)

\$ 0

a. Auto

\$ 0

b. Other \_\_\_\_\_

\$ 0

c. Other \_\_\_\_\_

\$ 0

## 14. Alimony, maintenance, and support paid to others

\$ 0

## 15. Payments for support of additional dependents not living at your home

\$ 0

## 16. Regular expenses from operation of business, profession, or farm (attach detailed statement)

\$ 0

## 17. Other \_\_\_\_\_

\$ 0

## 18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)

\$ 2842.48

## 19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year following the filing of this document:

## 20. STATEMENT OF MONTHLY NET INCOME

a. Average monthly income from Line 15 of Schedule I

\$ 2600.00

b. Average monthly expenses from Line 18 above

\$ 2842.48

c. Monthly net income (a. minus b.)

\$ 242.48

MICHAEL LAVON SPRIGGS

DEBTOR

CASE #: 09-71618 RN 13

NAME OF CREDITORS

US BANK HOME MORTGAGE  
4801 FREDERICA STREET  
OWENSBORO, KY 42301